

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	No. 22 CV 1810
)	
v.)	
)	Judge John F. Kness
1987 BOMBARDIER CL-600 TWIN JET)	
(SERIAL NUMBER 5003 AND TAIL)	
NUMBER XA-UFF) AND ITS INVENTORY)	
(LOGBOOK AND MAINTENANCE BOOK))	
)	
Defendant,)	

**JOINT MOTION FOR ENTRY OF
STIPULATED DECREE OF FORFEITURE**

The United States of America, by MORRIS PASQUAL, Acting United States Attorney for the Northern District of Illinois, and ND Aerotaxis, S.A. DE C.V. (“Aerotaxis”), by one its attorneys, Joseph A. Stewart, jointly moves this Court for the entry of a stipulated decree of forfeiture. In support of this motion, the parties state as follows:

1. On April 7, 2022, the United States commenced this *in rem* civil forfeiture action against 1987 Bombardier CL-600 Twin Jet (the “Subject Property” or “defendant aircraft”) by filing a civil complaint.

2. On October 16, 2023, the Court issued an arrest warrant *in rem* to be executed by the United States Customs and Border Patrol against the Subject Property. In accordance with Title 28, United States Code, Section 1355(d), and Fed. R. Civ. P. Supp. G(3)(c), the United States Customs and Border Patrol returned an

executed the arrest warrant on November 1, 2023. A copy of the executed arrest warrant *in rem* is attached as Exhibit A.

3. On September 25, 2023, the United States sent notice of this action to all potential claimants by U.S. Certified Mail, including Aerotaxis, through one of its attorneys, Joseph A. Stewart. Furthermore, in accordance with Supplemental Rule G(5), the United States published notice of this forfeiture action on an official government website, directing that any claim be filed in accordance with Supplemental Rule G(5).

4. To date, no parties have filed a claim to contest the forfeiture of the Subject Property other than claimant Aerotaxis, and the time for filing such a claim, answer, or other responsive pleading has expired.

5. The United States and Aerotaxis, through their respective attorneys, have agreed to settle this case on the terms and conditions set forth in the Stipulation filed in this case (Dkt. 65), which is incorporated herein by reference, upon approval of the Court.

6. In full settlement of all claims by Aerotaxis to the seized Subject Property, the United States will return the defendant aircraft to Aerotaxis, and funds in the amount of \$200,000, as a substitute res, shall be forfeited to the United States.

7. It is further agreed that, upon entry of an order by this Court and within (10) days of Aerotaxis making the Settlement Payment, the United States Customs and Border Protection, will issue to the storage contractor the remission order to release the Subject Property to Aerotaxis in full settlement and satisfaction of any

and all claims arising out of the United States' seizure and detention of the Subject Property. Aerotaxis will then be responsible for contacting the storage contractor to arrange pick up of the Subject Property. The government will cover the continued cost of storing the plane until Aerotaxis takes possession of the Subject Property; however, in all cases, Aerotaxis will become responsible for storage fees after a maximum of four business days following the remission order.

WHEREFORE, the parties request that this court enter a Stipulated Decree of Forfeiture in favor of the United States of America and against funds in the amount of \$200,000, as substitute res, declaring the funds forfeited to the United States for disposition according to law. A draft order is submitted herewith.

Respectfully submitted,

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